

**CITY OF MILPITAS
APPROVED**

PLANNING COMMISSION MINUTES

May 10, 2006

**I.
PLEDGE OF
ALLEGIANCE**

Chair Williams called the meeting to order at 7:00 P.M. and led the Pledge of Allegiance.

**II.
ROLL CALL**

Present: Ali-Santosa, Ciardella, Mandal, Tabladillo and Williams
Absent: Azevedo and Galang
Staff: Bejines, Carrington, Pio Roda and Williams

**III.
PUBLIC FORUM**

Chair Williams invited members of the audience to address the Commission on any topic not on the agenda, noting that no response is required from the staff or Commission, but that the Commission may choose to agendaize the matter for a future meeting.

Frank De Smidt, Milpitas Rotary Club, announced that the Rotary Club Carnival will be held from May 11th through May 14th at the Great Mall and pre-sale tickets will be available.

**IV.
APPROVAL OF MINUTES
April 26, 2006**

Chair Williams called for approval of the minutes of the Planning Commission meeting of April 26, 2006.

There were no changes to the minutes.

Motion to approve the April 26, 2006 minutes

M/S: Mandal/Ciardella

AYES: 5

NOES: 0

**V.
ANNOUNCEMENTS**

Tom Williams, Planning and Neighborhood Services Director, introduced new Associate Planner, Momoko (Momo) Ishijima that joined staff May 2nd from the City of Fremont and is pleased to have her talents at the City of Milpitas. The Commission welcomed Momo.

Mr. Williams also brought to the Commission's attention, a handout regarding the Fourth of July parade celebrating the Red, White and Boom. If the Commission is interested in participating, contact the Recreation Department. He also announced that the May 24th meeting is canceled due to lack of agenda items.

Commissioner Mandal announced that he is concerned about the energy situation in the United States and around the world, and was looking for the permit cost for getting solar energy in different cities and it turns out that Milpitas costs are substantially higher than other areas. He requested that that staff agendaize this when meeting with the City Council on June 13th.

**VI.
CONFLICT
OF INTEREST**

Assistant City Attorney Richard Pio Roda asked if the Commission has any conflict of interest on tonight's agenda.

There were no Commissioners that identified a conflict of interest.

**VII.
APPROVAL OF
AGENDA**

Chair Williams called for approval of the agenda.

Staff had no changes.

Motion to approve the agenda.

M/S: Mandal/Ciardella

AYES: 5

NOES: 0

**VIII.
CONSENT CALENDAR
Item Nos. 3 and 4**

Chair Williams asked whether staff, the Commission, or anyone in the audience wished to remove or add any items to the consent calendar.

Staff had no changes to the consent calendar.

Chair Williams opened the public hearing on Consent Item Nos. 3 and 4.

There were no speakers from the audience.

Close the public hearing

Motion to close the public hearing on consent Item Nos. 3 and 4.

M/S: Mandal/Tabladillo

AYES: 5

NOES: 0

Motion to approve the consent calendar on Consent Item Nos. 3 and 4.

M/S: Ciardella/Mandal

AYES: 5

NOES: 0

***3 USE PERMIT NO. UP2006-7:** A request to locate a doublewide sales trailer and associated landscaping and parking along the vacated Capital Avenue at South Abel Street. *(Recommendation: Approve with Conditions)*

***4 USE PERMIT NO. UP2006-10:** A request to locate a double-wide sales trailer and associated landscaping and parking at 1696 South Main Street between the Shell Gasoline Station and Jack-in-the-Box. *(Recommendation: Approve with Conditions)*

IX. PUBLIC HEARING

**1. "S" ZONE APPROVAL
NO. SZ2005-12 (Continued
from April 12, 2006):**

Cindy Hom, Junior Planner, presented a request to construct a 5,994 square foot single-story residence, detached second unit, and various landscape amenities including a covered patio and in ground pool and spa on an undeveloped parcel located at 1000 Piedmont Road. Ms. Hom recommended approval with conditions to City Council.

Mr. Williams added that staff provided the Commission a color elevation of the project.

Chair Williams thanked staff for doing their research in properly responding to inquiries from the last Planning Commission meeting.

Chair Williams opened the public hearing.

Dave Duarte, 2245 Old Piedmont Road, located just south of the project, said he is concerned that the power poles that go through the project and right in front of his house are leaning 15 degrees and are putting a lot of pressure across the poles. He asked if the City is going to be doing anything about it. He has been working with City of San Jose and PG&E and nothing has been done. He also noted that two or three years ago, the poles actually blew out and caused a small fire.

Mehdi Khaila, Principal Engineer, said that he would work with the resident and bring the attention to PG&E because it is a site and safety issue.

Close the public hearing

Motion to close the public hearing.

M/S: Mandal/Ciardella

AYES: 5

NOES: 0

Commissioner Mandal asked if the new property will be getting their power from the power pole or underground. Ms. Hom said that because they are within the urban service area, part of the conditions of approval requires that the utilities be undergrounded.

Commissioner Mandal asked if the power poles are located in front of the property or in the back and Ms. Hom said that the poles are located behind the property.

Commissioner Ciardella said that he is concerned about the lack of landscaping on the left and right hand side of the property. He also said it looks like there is an easement on the right hand side of the property. Ms. Hom said that there are no easements on the property but within ten foot from the front property line there is a public service utility easement that is reserved for streetscaping and landscaping. From the last meeting, she said that one of the suggestions was to incorporate some additional landscaping from the northwest corner of the site and if the Commission desires, staff can add a condition for the applicant to incorporate some additional landscaping.

Mr. Williams said there is no easement to the southern part of the property line and staff would recommend two or three trees and some additional groundcover to make sure the irrigation extends out there, however he would like to address it with the applicant to make sure they don't have any issues.

John Ha, Architect, stated that they do not mind adding some additional trees and landscaping.

Motion to approve "S" Zone Approval No. SZ2005-12 with special condition to City Council and adding additional landscaping in the southern part of the property.

Commissioner Ciardella said that he would like to see some trees added on the other side of the property.

Mr. Williams said that the condition could be revised to the satisfaction of the Planning Director or bring it back to the Planning Commission.

Motion to approve "S" Zone Approval No. SZ2005-12 with special conditions to City Council and adding a special condition to add landscaping to the satisfaction of the Planning Director.

M/S: Mandal/Ciardella

AYES: 5

NOES: 0

**2. "S" ZONE
APPROVAL NO. SZ2006-
4 AND USE PERMIT NO.
UP2006-5:**

Dennis Carrington, Senior Planner, presented a request for approval of Site and Architectural review to change the following: 1) the exterior of the two approved Fairfield Residential LLC buildings, 2) decrease the number of dwelling units from 481 units to 464 units, 3) increase the number of stories for the west building from four to five and 4) increase the number of stories of the parking garage from six to seven. Also, a request for a Use Permit that would allow an exception to the Zoning Ordinance for development standards to allow the parking garage to have seven rather than six levels/stories. Mr. Carrington recommended approval with conditions.

Commissioner Tabladillo asked if there will be a cover for the pool for safety for the children and Mr. Carrington said the pool will be fenced in.

Commissioner Mandal asked what is the ratio of number of units to parking spaces. Mr. Carrington said that on page 4 of the staff report, there is a chart that addresses parking. Because the project is in a Transit Oriented Development zone overlay, there is a reduction in the number of parking that is required. They are actually required to provide 482 parking spaces in the east building and 620 parking spaces in the west building. He explained that the increase level in the parking garage will allow an increase in the number of parking spaces because one-bedroom units require 1-½ parking spaces per unit and two and three bedroom units require 2 parking spaces per unit. Staff was concerned that 72 guest parking spaces are required for the west building and there are 30 guest parking spaces that are required for the east building, however there are 45 parking spaces on the vacated Capital Avenue.

Commissioner Mandal said he agrees with staff that when a high-density residential project is built, people start parking on the street and it doesn't look good and felt that the extra parking spaces will accommodate the people living there.

Chair Williams who lives in the surrounding area, said that parking is limited on Great Mall Parkway, Abel Street and Main Street and the only place for guests to park would be on Penetencia Creek. Mr. Carrington said that there is a curb to protect the trail.

Commissioner Tabladillo said in regards to the overall site design, in terms of crossing the street to the Great Mall, how can someone walk across the street instead of driving there. Mr. Carrington said that staff encourages more obvious pedestrian exit entrance at the east of the building towards the Great Mall that would allow people who live there a convenient way to walk over to Main Street. Great Mall is a wide road but does have a wide median and they have provided a crosswalk and median.

Commissioner Tabladillo noted that there is nothing on the west side of the building. Mr. Carrington said they would have to exit the building and go along Capital and move along Main Street and then cross at Abel street. He said there will be units facing Great Mall that would actually have access from their stoops from the front of their homes.

Chair Williams said that he concerned that young people do not follow cross walks because he sees them J walking from Main Street. He also asked if the traffic engineer could look at the signals on Great Mall Parkway and Main Street because cars have first priority over pedestrians.

Commissioner Tabladillo said that she too is concerned that there are several individuals that would probably run across the street instead of driving. Mr. Carrington said that staff added a condition of approval that would encourage a more obvious pedestrian entrance/exit at the eastern point of the east building that would allow people a convenient way to walk over to Main Street and proceed north. Great Mall is a very wide road and it has light rail but it does have a wide median and have provided crosswalks and signals.

Chair Williams said that since there is an addition of 406 units in the Midtown area, he sees a need for a grocery store because everyone in the area has to travel all the way to Save Mart on the other side of Calaveras.

Mr. Williams said that staff is preparing the Transit Area Plan which is the area to the east and south of the site and received conformation from the City Council for a land use plan as a basis to move forward which will be brought to the Planning Commission once the traffic impact analysis is complete. The Commission will have an opportunity to provide input on the land use plan. Also, staff received direction from the City Council to have 20% of any residential development to have a retail component and have two areas for a grocery store closer to this area that would better serve the Pines

Chair Williams said he appreciates the new redesign of the project because it gives a nice architectural feature for the site. Chair Williams asked if the drawing presented is an older rendering.

Dean Mills, Applicant, said it is the existing east building.

Mr. Williams said that on page 9 of the handouts, it shows the west elevation rendering.

Chair Williams said that the landscaping looks great and asked if there will be a monument sign to identify the complex. Mr. Mills said that there could be something in the future however right now they are working with PG&E to work out a few things.

Chair Williams said that he would like the applicant to give recognition to Milpitas in the form of a sign since it is located at a prominent corner. Mr. Mills said he would look at something in the future when working with staff.

Chair Williams asked what is the name of the project and Mr. Mills said Centria. Chair Williams asked that it be called "Centria of Milpitas".

Chair Williams asked what is the volume of the elevator. Mr. Mills said it allows 3500 pounds to allow for furniture.

Chair Williams opened the public hearing.

Don Peoples, President of Downtown Association, said that he doesn't think there has been a lot of discussion on what role the Planning Commission has. He said the Commission approved the last Fairfield project and it was one of the worst developments he had seen. He said this project is located near light rail and is important for the downtown development. DR Horton's revamped project is a thousand percent better than what was approved before. He reiterated that the Milpitas Downtown Association is available to review the design and invites all projects to go through their committee and challenges the Commission to get quality design, which will make a great improvement and demand in the community.

Chair Williams said that next month there will be a joint session between Planning Commission and City Council on what the Commission's role is for the future and it will be a public forum.

Mr. Peoples said that he wanted to challenge the thought process and this is something that the City will be really proud of in the future.

Close the public hearing

Motion to close the public hearing.

M/S: Mandal/Ciardella

AYES: 5

NOES: 0

Motion to approve “S” Zone Approval No. SZ2006-4 and Use Permit No. UP2006-5 with finding and conditions in the staff report.

M/S: Mandal/Ciardella

AYES: 5

NOES: 0

X. PRESENTATION

**3. ANNUAL REVIEW OF
GENERAL PLAN
HOUSING ELEMENT
IMPLEMENTATION:**

Felix Reliford, Principal Housing Planner, presented the Commission with an annual review of the General Plan Housing Element Implementation and noted receipt and file.

Commissioner Mandal asked how will the interest rate changes impact the City. Mr. Reliford said that interest rates are closely tied with commercial properties that as interest rates go up, cost of borrowing money gets more expensive. He said that he doesn't think that the housing bubble has burst but it has started to cool down. He said that higher interest rates have not slowed down the number of dwelling units in the City but will force lower income people out of the market. He said the City needs all types of housing because not a lot of people can afford homes and felt the City needs more rental units. To date, the City has the least number of rental units in the county for sale. It is about two thirds of ownership and about one third rentals but not everyone can afford a home. There is also a major overcrowding in the units and the City needs more three-bedroom units in the City.

Mr. Williams said that one of the components of the housing element is to do a market study to look at the whole cross section of the market demand in the City. With the amounts of units the City has coming on board, if the developer does a penthouse component to get a high end type home, is that feasible. He would like direction from the Commission to move that study forward into the next fiscal year in the light of the housing element delay to get that information. He did hear that the economic development commission is in favor in moving that study forward.

Commissioner Mandal said he would like to see that study move forward to see how it would affect the City's current situation. Mr. Williams said the City has a lot of mid range housing units and multi family four stories over parking units and wants to see if the City is missing an opportunity to attract a different type of investor or home buyer.

Commissioner Tabladillo said that she agrees with that especially with economic development and the way they are moving forward and having that study will allow the City to see the whole entire picture and felt that the City would probably have to do another study later on with economics changing.

Commissioner Ciardella said that he would like to see that too since the City has too much land to infill the projects in town and he could see a high end type of condominium unit and would like to see the study.

Chair Williams said there was a high rise condominium project in the works and felt that a study would better prepare us for the future.

Mr. Reliford said that two years from now, the housing market could cool and the City could miss the boat for an opportunity. He asked the Commission to include in their recommendations to Council that when the housing element goes forward in 2009 to the Council in the future, that the marketing study be updated and the Commission agreed with him.

The Planning Commission made a recommendation to Council to move forward with the housing market study and also recommend a second study is done when staff takes the housing element forward to Council in 2009.

Chair Williams noted this presentation was a note receipt and file.

XI. ADJOURNMENT

The meeting was adjourned at 8:32 p.m. to the next regular meeting of June 14, 2006 because the May 24, 2006 meeting is canceled due to lack of agenda items.

Respectfully Submitted,

Tom Williams
Planning and Neighborhood Services
Director

Veronica Bejines
Recording Secretary